



U.S. Department of Justice

*United States Attorney  
Eastern District of New York*

JJD  
F.#2010R00014

*United States Attorney's Office  
610 Federal Plaza  
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December 30, 2011

By ECF and Regular Mail

ATTACHED DISTRIBUTION LIST

Re: United States v. Acosta-Yanes et al.  
Criminal Docket No. 10-074 (S-4) (JFB)

Dear Counsel:

Pursuant to our on-going discovery obligations under Rule 16, the government has sent the items listed below to First Choice Copy for duplication. The items were sent by Federal Express today and should be available for order early next week. If you would like to order copies of these disks, please contact Joseph Misner at First Choice Copy at (718) 381-1480.

Pursuant to United States District Judge Joseph F. Bianco's prior order, the government will send a copy of this letter and one set of the attached materials to both the Nassau County Correctional Center and the Queens Private Correctional Facility. Per recent guidance from the Metropolitan Detention Center ("MDC"), for those defendants being held at MDC, counsel should mail whatever disks you deem necessary directly to the individual defendants.

Documents and Tangible Objects

1. A DVD with scanned copies of the following documents, several of which have been redacted: (a) additional photographs of MS-13 graffiti, including graffiti created by Adalberto Ariel Guzman; (b) a Nassau County Police Department scene examination report and photographs relating to the July 5, 2009 shooting; (c) a supplemental laboratory report summarizing a comparison of Yobany Calderon's DNA to DNA recovered at the Avalos murder scene; (d) copies of a search warrant and affidavit in support of a search warrant for Franklin Villatoro's cellular telephone; (e) Crime Scene Examination Reports

from the May 17, 2009 murder of Ruben Madrid; (f) Suffolk County Crime Laboratory reports, including autopsy reports and photographs, crime scene, biological, and ballistics reports in connection with Argueta and Torres murders, and ballistics reports in connection with the Moreno and Quijada murders; (g) an ATF Trace Summary Report regarding the .22 caliber handgun used in the Argueta, Torres and Moreno murders, which was recovered at the scene of the Quijada murder; (h) a photograph identification of David Valle in connection with the Vasquez murder; (i) a photograph of murder victim Michael Alguera; (j) a Nassau County Police Department scene examination report relating to the January 18, 2008 murder of Michael Alguera; (k) screen shots taken from a MySpace.com account associated with David Valle; (l) Nassau County Correctional Center records; and (m) photographs of certain physical items recovered in connection with the Argueta and Torres murders (original items are available for examination upon request) ("Disk-52").

2. A DVD with surveillance video footage at MDC from June 28, 2011, when John Doe #15 was assaulted by other inmates, including Diego Ninos ("Disk-53").
3. A DVD with crime scene photographs from the May 17, 2009 murder of Ruben Madrid ("Disk-54").
4. A DVD with a crime scene video from the February 5, 2010 murders of Vanessa Argueta and Diego Torres ("Disk-55").
5. A DVD with 911 and radio transmissions from the February 5, 2010 murders of Vanessa Argueta and Diego Torres ("Disk-56").
6. A DVD with crime scene photographs from the January 18, 2008 murder of Michael Alguera ("Disk-57").

Additionally, the government is in possession of the following firearms that have been seized from members of the MS-13 or in connection with crimes committed by members of the MS-13, which the government may introduce during its case-in-chief: (a) a Lorcin 9mm semi-automatic handgun seized on or about September 17, 2003; (b) a .22 caliber revolver, .38 caliber revolver and .40 caliber semi-automatic handgun seized from MS-13 members on or about October 10, 2004; (c) a 12-gauge shotgun seized from MS-13 members in August 2008; (d) a Browning .380 caliber handgun seized from MS-13 members in October 2008; and (e) a Bryco Arms .22

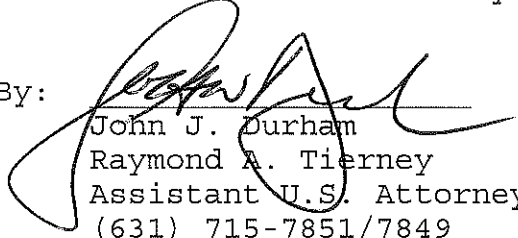
caliber semi-automatic handgun and ammunition recovered at the scene of the Quijada murder. Please contact the undersigned if you would like to examine the firearms and ammunition.

The government renews its request for reciprocal discovery.

Very truly yours,

LORETTA E. LYNCH  
United States Attorney

By:



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cc: Clerk of the Court (JFB) (By ECF)

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